

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

The JAY PETER KAUFMAN
REVOCABLE TRUST, On behalf of Itself
and All Others Similarly Situated,

Plaintiff,

vs.

NEW CENTURY FINANCIAL
CORPORATION, BRAD A. MORRICE,
ROBERT K. COLE, MARYLIN A.
ALEXANDER, HAROLD A. BLACK,
FREDRIC J. FORSTER, EDWARD F.
GOTSCHELL, DONALD E. LANGE,
MICHAEL M. SACHS, RICHARD A.
ZONA, PATTI M. DODGE, WILLIAM J.
POPEJOY, BEAR STEARNS & CO., INC.,
STIFEL NICOLAUS & COMPANY,
INCORPORATED, DEUTSCHE BANC
SECURITIES, INC., JMP SECURITIES
LLC, PIPER JAFFRAY & COMPANY, and
ROTH CAPITAL PARTNERS LLC,

Defendants.

Case No. 07-CV-2902 (SHS)

(captions continued on the subsequent page)

**NOTICE OF MOTION BY THE NEW YORK STATE
TEACHERS' RETIREMENT SYSTEM TO TRANSFER VENUE**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

The JAY PETER KAUFMAN
REVOCABLE TRUST, On behalf of Itself
and All Others Similarly Situated,

Plaintiff,

vs.

NEW CENTURY FINANCIAL
CORPORATION, BRAD A. MORRICE,
ROBERT K. COLE, MARYLIN A.
ALEXANDER, HAROLD A. BLACK,
FREDRIC J. FORSTER, EDWARD F.
GOTSCHELL, DONALD E. LANGE,
MICHAEL M. SACHS, RICHARD A.
ZONA, PATTI M. DODGE, DAVID
EINHORN, BEAR, STEARNS & CO.,
INC., MORGAN STANLEY & CO., INC.,
STIFEL NICOLAUS & COMPANY,
INCORPORATED, and JEFFRIES &
COMPANY, INC.,

Defendants.

Case No. 07-CV-2903 (GBD)

PLEASE TAKE NOTICE that upon this Notice of Motion, the accompanying Memorandum of Law, the accompanying Declaration of Gerald H. Silk and the exhibits attached thereto, the papers and pleadings filed in this action, and such other oral or written submissions as the Court shall entertain, the New York State Teachers' Retirement System, through counsel, will move this Court, before the Honorable Sidney H. Stein, 500 Pearl Street, New York, New York, Courtroom 23A, at a date and time to be set by the Court, for an Order transferring venue, pursuant to 28 U.S.C. § 1404, and

for such other further relief as the Court may deem appropriate.

Dated: April 24, 2007

Respectfully submitted,

**BERNSTEIN LITOWITZ BERGER &
GROSSMANN LLP**

/s/ Gerald H. Silk

Gerald H. Silk (GS-4565)

Salvatore J. Graziano (SG-6854)

Noam Mandel (NM-0203)

1285 Avenue of the Americas, 38th Floor
New York, NY 10019

(212) 554-1400

Counsel for New York State Teachers'
Retirement System and Proposed Lead
Counsel for the Class